IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14383 of 2005

Between:

P.V.P. Sai Arun S/o Sri P.S. Srinivas
R/o Kota Veedhi H. No. 1-430, Makkurva Road, Salur Post,

Vizianagaram District

..... PETITIONER

AND

1 The Convener EAMCET-2003 Sanketika Bhavan, Masab Tank, Hyderabad
2 The Principal, D.V.R. and Dr. HS MC College of Technology Kanchikacherla, Krishna District

3. J.N.T.U., Kukatpaly, Hyderabad, rep. By its Registrar,

4. The Mandal Revenue Officer, Salur, Vizianagaram dist.

5. The Revenue Divisional Officer, Parvathipuram, Vizianagaram district.

(RRs. 3 to 5 impleaded as per Court Order dt. 12.7.2005 in WPMP Nos. 18554/05 and 18953/05 respectively)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order, or direction, more particularly a Writ in the nature of Writ of Mandamus declaring the action of the 2nd respondent directing the petitioner herein

not to attend the course till the production of the fresh caste certificate at the instance of the 1st respondent as bad, illegal, arbitrary and oppose to law and pass such other order or orders as the Hon'ble Court may deem fit and proper.

Counsel for the Petitioner :MR.M.VIDYASAGAR

Counsel for the Respondents 1 & 3 : SC FOR JNTU

(K.RATHANGA PANI REDDY)

Counsel for Respondents 4 & 5: G.P. for Revenue & Social Welfare

The Court made the following :

O R D E R:

This Writ Petition is filed by the petitioner aggrieved by the action of the 2nd respondent in insisting the petitioner for production of a fresh community certificate, as the petitioner claimed that he belongs to Scheduled Tribe community, for which he has produced the certificate issued on 10.06.1993.

2. The grievance of the petitioner is that he had approached the Mandal Revenue Officer for obtaining a fresh community certificate, but the Mandal Revenue Officer made an endorsement stating that the certificate dated 10.6.1993 holds good as a permanent certificate, and therefore, there is no need to issue another certificate and refused to forward the request of the petitioner to the Revenue Divisional Officer, Parvathipuram.

3. Heard the both sides and considered the material on record.

4. As per rules, perhaps the petitioner is required to produce a fresh certificate issued by the concerned authorities before he was being admitted into the Engineering College. Therefore, the petitioner was directed by the authorities to produce the fresh certificate, though no written orders are issued by the 2nd respondent. But, however, as per the provisions of the Andhra Pradesh (SC, ST & BC) Regulation of Issue of Community Certificates Act, 1993, it is only the Revenue Divisional Officer, who has to issue the certificate with reference to the

community/caste to which a particular individual belongs to. Therefore, the petitioner is directed to make his application before the Revenue Divisional Officer, Parvathipuram, within a period of ten days from the date of receipt of the copy of this order. On such application, the Revenue Divisional Officer is directed to make necessary enquiries and issue certificate in accordance with law, within a period of six weeks from the date of application made by the petitioner. Meanwhile, 2nd respondent-Principal is directed to permit the petitioner to prosecute his course, granting time to the petitioner for producing the certificate within a period of three months from the date of receipt of the order.

5. The Writ Petition is disposed of accordingly. No costs.

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S.Ananda Reddy, J.

12…07…2005

Note:

Issue copy within

three days.

(bo) Kvh

To

1 The Convener EAMCET-2003 Sanketika Bhavan, Masab Tank, Hyderabad
2 The Principal, D.V.R. and Dr. HS MC College of Technology Kanchikacherla, Krishna District

3. The Registrar, J.N.T.U., Kukatpaly, Hyderabad.

4. The Mandal Revenue Officer, Salur, Vizianagaram dist.

5. The Revenue Divisional Officer, Parvathipuram, Vizianagaram district.

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THE HON'BLE MR. JUSTICE S. ANANDA REDDY

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W.P. No. 14383 of 2005

O R D E R

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